

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

V.I.P. SPORTS MARKETING, INC., an)
Illinois corporation,)

Plaintiff,)

v.)

JOHN NUSSBAUMER, a New York citizen,)

Defendant.)
)
)
)
)

No. 08 CV 01307

MOTION FOR VOLUNTARY DISMISSAL

Plaintiff V.I.P. Sports Marketing, Inc. ("VIP"), by its attorneys, Bell, Boyd & Lloyd LLP, and pursuant to Federal Rule of Civil Procedure 41, respectfully moves this Honorable Court for the voluntary dismissal with prejudice of VIP's Complaint against Defendant John Nussbaumer ("Nussbaumer"), based on a settlement between the parties. In support thereof, VIP states as follows:

1. On March 4, 2008, VIP filed a complaint against Nussbaumer alleging various causes of action.
2. Federal Rule of Civil Procedure 41 permits a plaintiff to dismiss a cause of action before service by the adverse party of an answer or of a motion for summary judgment, neither of which have occurred here.
3. VIP and Nussbaumer have settled all claims in the Complaint and VIP now wishes to dismiss this matter, with prejudice, as settled, each party to bear their own attorneys' fees and costs.

WHEREFORE, Plaintiff, V.I.P. Sports Marketing, Inc. respectfully requests that the Court enter an Order dismissing this matter with prejudice.

Dated: April 28, 2008

V.I.P. SPORTS MARKETING, INC.,
Plaintiff,

By: /s/ Jeffrey T. Petersen
One of its Attorneys

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CERTIFICATE OF SERVICE

I, Jeffrey T. Petersen, an attorney, hereby certify that on April 28, 2008, I electronically filed Plaintiff's Motion for Voluntary Dismissal using the CM/ECF system which will serve and send notification of such filing(s) to the following:

Robert Smeltzer
Lowis & Gellen LLP
200 West Adams Street
Suite 1900
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/s/ Jeffrey Petersen
Jeffrey Petersen